

ENTERED

November 07, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISIONSTATE OF TEXAS, *et al*,

Plaintiffs,

VS.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, *et al*,

Defendants.

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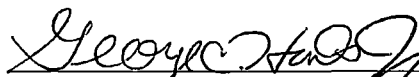
CIVIL ACTION NO. 3:15-CV-162

ORDER

The Court has remanded the “Clean Water Rule: Definition of ‘Waters of the United States’”, 80 Fed. Reg. 37,054 (June 29, 2015) (“the Final Rule”), to the appropriate administrative agencies (Dkt. 193). A repeal rule was published on October 22, 2019 and is set to take effect on December 23, 2019. *See* 84 Fed. Reg. 56,626 (Oct. 22, 2019).

The two groups of plaintiffs have filed motions for reconsideration of the Court’s ruling in which they request that the Court vacate the Final Rule instead of remanding it. Those motions (Dkt. 204 and Dkt. 205) are **DENIED**. Additionally, the defendant-intervenors have filed a motion requesting that the Court hold this case in abeyance for 75 days or until the repeal rule takes effect, whichever comes first. That motion (Dkt. 220) is also **DENIED**.

SIGNED at Galveston, Texas on November 6 2019.



GEORGE C. HANKS, JR.

UNITED STATES DISTRICT JUDGE